

JUL 21 2004 4:48PM

MOFO 28TH FL

NO. 725 P. 2

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections from Block 1)

20572 7590 05/19/2004

MORRISON & FOERSTER LLP
 425 MARKET STREET
 SAN FRANCISCO, CA 94105-2482



Note: A certificate of mailing can only be used for domestic mailing of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission
 I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO on the date indicated below.

TILLIA OLIVAS	(Depositor's name)
	(Signature)
July 21, 2004	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/052,061	01/16/2002	Nathan K. Olivas	499962000700	1473

TITLE OF INVENTION: PACER LETTUCE VARIETY

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$665	\$300	\$965	08/19/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
KRUSE, DAVID H	1638	800-305000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

"Fee Address" indication (or "Fee Address" Indication form PTO/SB/47, Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. MORRISON & FOERSTER LLP

2. _____

3. _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

PROGENY ADVANCED GENETICS

Salinas, CA

Please check the appropriate assignee category or categories (will not be printed on the patent): individual corporation or other private group entity government

4a. The following fee(s) are enclosed:

 Issue Fee \$665.00 Publication Fee \$300.00 Advance Order - # of Copies 6 = \$18.00

4b. Payment of Fee(s):

 A check in the amount of the fee(s) is enclosed. Payment by credit card. Form PTO-2035 is attached. The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 01-1052 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

Michael R. Ward
 (Authorized Signature)

(Date)
 July 21, 2004

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

07/22/2004 SHASSEN2 00000078 031952 10052061

01 FC:2501	665.00 DA
02 FC:1504	300.00 DA
03 FC:8001	18.00 DA

TRANSMIT THIS FORM WITH FEE(S)



JUL 21 2004

MOFO 28TH FL

NO. 725 P. 1

MORRISON & FOERSTER LLP

Attorneys at Law
425 Market Street
San Francisco, California 94105-2482
Telephone: (415) 268-6237
Facsimile: (415) 268-7522

TO: MAIL STOP: ISSUE FEES
Commissioner for Patents
FAX: 703/746-4000

From: MICHAEL R. WARD (Reg. No. 38,651)

Date: July 21, 2004

We are transmitting a total of 3 pages (including this page).

If you do not receive all pages, please call (415) 268-6237 as soon as possible.

Preparer of this slip has confirmed that facsimile number given is correct: 8693/MRW1

This facsimile contains confidential information which may also be privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not copy, use, or distribute it. If you have received it in error, please advise Morrison & Foerster LLP immediately by telephone or facsimile and return it promptly by mail.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, MAIL STOP: ISSUE FEE on July 21, 2004.


LILIA OLSEN

ATTORNEY DOCKET NO: 499962000700

SERIAL NO.: 10/052,061

FILING DATE: January 16, 2002

GROUP ART UNIT : 1638

EXAMINER: D. Kruse

INVENTORS: Nathan K. OLIVAS and Nathan J. OLIVAS

TITLE: PACER LETTUCE VARIETY

ENCLOSURES: ISSUE FEES

1) PTOL-85B Fee Transmittal - 1 pg IN DUPL

SMALL ENTITY LARGE ENTITY

2) \$983.00 for ISSUE FEES (\$665), including 6 soft copies (\$18) and PUBLICATION FEES (\$300) are AUTHORIZED TO BE CHARGED TO DEPOSIT ACCOUNT

CONFIRM RECEIPT OF THIS FACSIMILE AND ATTACHMENTS
CUSTOMER NO. 20872